

Minutes of the Regular Meeting of the
STATE BOARD OF EDUCATION
2500 NORTH LINCOLN BOULEVARD
STATE BOARD ROOM, SUITE 1-20
OKLAHOMA CITY, OKLAHOMA

July 23, 2015

The State Board of Education met in regular session at 1:10 p.m. on Thursday, July 23, 2015, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 12:55 p.m. on Wednesday, July 22, 2015.

The following were present:

Ms. Terrie Cheadle, Chief Executive Secretary

Members of the State Board of Education present:

State Superintendent Joy Hofmeister, Chairperson of the Board
MG (R) Lee Baxter, Lawton
Ms. Cathryn Franks, Roosevelt
Mr. Daniel Keating, Tulsa
Mr. William "Bill" Price, Oklahoma City
Mr. Robert J. Ross, Oklahoma City

Others in attendance are shown as an attachment.

**CALL TO ORDER
AND
ROLL CALL**

State Superintendent Joy Hofmeister called the State Board of Education regular meeting to order at 1:10 p.m. and welcomed everyone to the meeting. Ms. Cheadle called the roll and ascertained there was a quorum.

**PLEDGE OF ALLEGIANCE, OKLAHOMA
FLAG SALUTE, AND MOMENT OF SILENCE**

Superintendent Hofmeister led Board Members and all present in the Pledge of Allegiance to the American Flag, a salute to the Oklahoma Flag, and a moment of silence.

STATE SUPERINTENDENT

Information from the State Superintendent

Superintendent Hofmeister commended the U.S. federal delegation in the Senate and House for their work on the Elementary and Secondary Education Act (ESEA) reauthorization which is the repeal of No Child Left Behind (NCLB).

(Mr. Ross arrived at 1:12 p.m.)

The Teacher of the Year finalists and Rising Stars were announced at the EngageOK Conference.

A special meeting of the Teacher and Leader Effectiveness (TLE) Commission was held during the conference and approximately 400 were in attendance. The open mic setting provided conference attendees an opportunity to converse with TLE Commission members.

The U.S. Department of Education (USDE) granted the ESEA waiver and we are pleased to have the flexibility of not having to be under NCLB requirements in many regards.

The SDE-Financial Accounting staff is to be congratulated on receiving the USDEs award for “Outstanding Work for Fiscal Year 2013 Reporting.” Staff members recognized included Kathy Black, Kelly Freeman, Pam Honeysuckle, Iona Martin, and Nancy Hughes.

BOARD ADMINISTRATIVE

**May 28, 215 Regular Meeting Minutes of the
State Board of Education Approved**

Board member Price moved to approve the minutes of the May 28, 2015 regular meeting. Board member Franks seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

**June 25, 2015 Regular Meeting Minutes of the
State Board of Education Approved**

Board member Franks moved to approve the minutes of the June 25, 2015 regular meeting. Board member Baxter seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

PUBLIC COMMENT

Alexis Rainbow, Mike Davis, Eric Reynolds, Eddie McVea, Vernon McVea, Gerald Harper, Bryan McVea, and Cheris Pendleton signed up to address/discuss the Alexis Rainbow Arts Academy.

First-Year Superintendents

First-year superintendents attending the meeting were Burl Solie, Turner Public Schools; Mickey Hart, Crescent Public School; Diane Parris, Butner Public School; Scott Roper, Pleasant Grove; Tracy Blasengame, Stuart Public Schools; and Chad Wilson, Weatherford Public Schools.

CONSENT DOCKET Approved

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2015-2016 school year and other requests:

- (a) **Abbreviated School Day – OAC 210:35-29-2 and 210:35-3-46**
Bartlesville Public Schools, Washington County
Frederick Public Schools, Tillman County
Hominy Public Schools, Osage, County
Purcell Public Schools, McClain County
Shawnee Public Schools, Pottawatomie County
- (b) **Administrative Services – OAC 210:35-3-45**
Wynona Public Schools, Osage County
- (c) **Cooperative Agreements for Alternative Education Programs – 70 O. S. § 1210.568**
Eldorado Public Schools, Jackson County
Kinta Public Schools, Haskell County
- (d) **Length of School Day - 70 O. S. § 1-109**
Ft. Gibson Public Schools, Muskogee County
Lane Public Schools, Atoka County
- (e) **Library Media Services – OAC 210:35-5-71 and 210:35-9-71**
Fairview Public Schools, Major County
Fletcher Public Schools, Comanche County
Hominy Public Schools, Osage County
LeFlore Public Schools, LeFlore County

Lomega Public Schools, Kingfisher County
Sterling Public Schools, Comanche County
Stidham Public Schools, McIntosh County
Twin Hills Public Schools, Okmulgee County
Wynnewood Public Schools, Garvin County

- (f) **Library Media Specialist – 70 O.S. § 3-126**
Bokoshe Public Schools, LeFlore County
Jay Public Schools, Delaware County
Mustang Public Schools, Canadian County
Navajo Public Schools, Jackson County
- (g) **Allow Two School Days in a 24-Hour Period – 70 O. S. § 1-111**
Fletcher Public Schools, Comanche County
Lane Public Schools, Atoka County
LeFlore Public Schools, LeFlore County
Smithville Public Schools, McCurtain County
Sterling Public Schools, Comanche County
- (h) **Planning Period – OAC 210:35-7-41 and OAC 210-35-9-41**
Lomega Public Schools, Kingfisher County
Stillwater Public Schools, Payne County
- (i) **Saturday School - 70 O.S. § 1-112**
Flower Mound Public Schools, Comanche County
- (j) Request approval on exceptions to State Board of Education teacher certification regulations to permit issuance of emergency (provisional) certificates – 70 O. S. § 6-187

Superintendent Hofmeister advised Depew Public Schools was removed from item 6 (e) Library Media Services to allow for further clarification of the application before board consideration.

Board member Price moved to approve the Consent Docket with the exception of Depew Public Schools. Board member Franks seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

DEPUTY CHIEF OF STAFF

Update on EngageOK Summer Conference

Heather Griswold, Deputy Chief of Staff, Events updated and presented highlights/features of the EngageOK Summer Conference held at the Cox Convention Center, July 7-9. The tone of this new administration is supportive of and desires to engage educators, district leaders, as well as parents and business/community stakeholder to truly elevate student achievement.

CHIEF OF STAFF

Update on status of the Alexis Rainbow Arts Academy

David Kinney, Assistant Attorney General presented an update on the status of Alexis Rainbow Arts Academy (ARAA) that included a six-month appearance timeline before the State Board of Education (SBE), SBE June 25 Superintendent authorization to accept ARAA annual audit and releasing state funds, June 30 delivery of compliance records and forfeiture of state funding for noncompliance.

Board members discussed and asked questions pertaining to the noncompliance of federal and state laws for public schools and charter schools.

Board approval of Superintendent's decision to withhold payment of state aid for Alexis Rainbow Arts Academy for Failure to comply with the Oklahoma Public School Audit Law Approved

Board member Baxter moved to affirm the decision of the State Superintendent. Board member Franks seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Board approval of Superintendent's decision to withhold payment of state funds for Alexis Rainbow Arts Academy for failure to comply with the State Board of Education reporting requirements Approved

Board member Baxter moved to affirm the decision of the State Superintendent. Board member Franks seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Report on Accreditation Recommendations for School sites with warning or probation for the 2015-2016 school year; Report on Deficiency Counts by District; Report on Accreditation Recommendations for the 2015-2016 school year; and District and Site Accreditation Recommendation for the 2015-2016 School year Approved

Lynn Jones, Executive Director, Accreditation/Standards presented a request on the district and site accreditation recommendations for the 2015-2016 school year. Reports for the 2015-2016 school year were reviewed that included the school sites with warnings or probation; district deficiency counts; and accreditation recommendations.

Lt. Col. (R) Lance Nelson requested the non-accreditation of Alexis Rainbow Arts Academy for noncompliance of School Laws of Oklahoma Accreditation Standards pursuant 70 O.S. § 3-104.3.

Board members asked questions and discussed school districts and local board compliance, legislative waivers, and audit/deficiency findings.

Board member Baxter moved to approve the district and site accreditation recommendations. Board member Franks seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

EDUCATOR EFFECTIVENESS AND POLICY

Residency Program Approved

Dr. Robyn Miller, Deputy Superintendent, Educator Effectiveness and Policy, presented a request to administer a residency program per House Bill 2885 of 2014. The 1980 Oklahoma residency program was suspended in 2010, and subsequently school districts were required to mentor their new teachers. Dr. Miller reviewed the comprehensive residency program guidelines, criteria and descriptions that promotes teacher effectiveness, student learning and acknowledges current school district induction programs.

Board members asked questions and discussed residency program framework and options.

Board member Price moved to approve the residency program. Board member Baxter seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Amend the list of Alternate Tests for Assessments that can be used as alternate test for driver's permit tests for driver's license or permit application Approved

Board member Baxter moved to amend the list of alternate tests. Board member Price seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

CONSENT DOCKET - ACE APPEALS

Convene into Executive Session

Board member Price made a request to convene into Executive Session at 2:50 p.m. Board member Franks seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Return to Open Session

Board member Ross made a motion to return to Open Session at 3:35 p.m. Board member Keating seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; Mr. Ross, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

Superintendent Hofmeister said in attendance in the Executive Session were Dr. Robyn Miller, David Kinney, and Melissa White made a presentation. No action was taken on any item under consideration during Executive Session.

Recommendation: Action based upon verified evidence meeting the criteria for granting an exception to ACE graduation requirements – Norman 15-0001; OKC15-0002 **Approved**

Board member Ross moved to approve the ACE appeal recommendation for Norman 15-0001 and OKC15-0002. Board Member Keating seconded the motion. The motion carried with the following votes: General Baxter, no; Ms. Franks, no; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Recommendation: Denial based upon verified evidence meeting the criteria for granting an exception to ACE graduation requirements – OKC15-0003; Muskogee15-0004 **Approved**

Board member Ross moved to approve the ACE appeal recommendation for OKC15-0003 and Muskogee 15-0004. Board member Baxter seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

LEGAL SERVICES

**Resolve into Executive pursuant to 25 O.S. 2001, § 307 (B)(1)
for the purpose of discussing legal representation and applicants
for the State Board of Education**

Convene into Executive Session

Board member Price moved to convene into Executive Session at 3:20 p.m. Board member Baxter seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Return to Open Session

Board member Baxter moved to Return to Open Session at 4:10 p.m. Board Member Franks seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

Superintendent Hofmeister stated no action was taken during the Executive Session.

Board member Price moved to approve authorizing the State Board of Education Chairman to proceed with negotiations with attorney candidate for legal services attorney for the State Board of Education. Board member Keating seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

(Mr. Ross left at 4:11 p.m.)

Emergency Rules Adoption Approved

Lori Murphy, Assistant General Counsel, presented a request for emergency rule amendments of the following rules:

- (1) Chapter 10. School Administration and Instructional Services
Subchapter 13. Student Assessment
210: 10-13-2.
Oklahoma School Testing Program (OSTP) scope and general administration **[AMENDED]**

Board member Price moved to approve the amended emergency rule. Board member Franks seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

- (2) Chapter 10. School Administration and Instructional Services
Subchapter 13. Student Assessment
210: 10-13-22.
Implementation of a system of school improvement and accountability **[AMENDED]**

Board member Price moved to approve the amended emergency rule. Board member Franks seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

Action on whether the Board will hear the application for Revocation of the Oklahoma School Teaching Certification of Sean L. Catron on a date certain in Executive session or utilize a Hearing Officer pursuant to the State Board of Education's rules OAC 210:1- 56(f)(1), OAC 210: 20-9-98, 70 O.S. § 3-104 and 25 O.S. § 307(B)(7)

Yolanda Downing, Assistant General Counsel, presented a request for a hearing by Sean L. Catron pending the revocation of his teaching certification. The attorney for Mr. Catron anticipates calling three (3) fact witnesses and five (5) character witnesses, and expects three-four hours of testimony.

Board members asked questions and discussed Hearing Officer appointment, qualifications and hearing procedures.

Board member Baxter moved to approve executing administrative procedures contingent upon contact with the affected District Attorney before utilizing a Hearing Officer. Board member Price seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

FINANCIAL SERVICES

Awarding of grants for a Program of Parent Education Approved

Dr. Rene Axtell, Assistant State Superintendent, Special Education, presented a recommendation request for 29 school districts to receive grants for a program of Parent Education. The 1993 Parent Education Program law assisted parents as their child's first teacher, serving children from birth to three years old, and Senate Bill 285 made changes in the law. Dr. Axtell reviewed the changes, effective November 1, 2015, that included program name changes, participant flexibility, program operations, and grant requirements, applications and deadlines.

Board members asked questions and discussed parent education programs and participation.

Board member Franks moved to approve grants request for the program of parent education. Board member Keating seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

ACADEMIC AFFAIRS and PLANNING

Report on the U.S. Department of Education (USDE) approval of Oklahoma's Elementary and Secondary Education Act (ESEA) Flexibility Waiver Extension request

Dr. Cindy Koss, Deputy Superintendent, Academic Affairs and Planning, presented an overview of the USDE 1 year extension approval of Oklahoma's ESEA Flexibility Waiver. The principles of the waiver, approval and requirements were highlighted.

Board members asked questions and discussed waiver requirements, flexibility and results.

Update on the English Language Art/Mathematics State Academic Standards pursuant to the provisions House Bill 3399

Dr. William Radke, Executive Director updated that the first public roll out of the standards occurred at the EngageOK conference. Audience feedback from the multiple sessions was good. Currently live links are available on the standards website along with surveys. Stakeholders identified in House Bill 3399 were provided survey information for comment. The final draft is on track for the October due date and will be presented at the December SBE meeting for consideration and action.

Board members discussed the standards timeline schedule and for commendable efforts made for acceptance amongst stakeholders.

ADJOURNMENT

There being no further business Board member Price moved to adjourn. Board member Franks seconded the motion. Board members unanimously agreed to adjourn the meeting at 5:06 p.m.

The next regular meeting of the State Board of Education will be held on Thursday, August 27, 2015, at 9:30 a.m. The meeting will convene at the State Department of Education-State Board Room, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.

Joy Hofmeister, Chairperson of the Board

Terrie Cheadle, Chief Executive Secretary